

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS

JAMES G. HOWE, et al.,

Plaintiff,

vs.

SALVADORE GODINEZ, et al.,

Defendants.

Case No. 14-cv-844-SMY-PMF

**MEMORANDUM AND ORDER**

This matter comes before the Court on the Report and Recommendation (“R & R”) (Doc. 35) of Magistrate Judge Philip M. Frazier recommending this Court deny Plaintiff s’ motion for a preliminary injunction (Doc. 32).

The Court may accept, reject or modify, in whole or in part, the findings or recommendations of the magistrate judge in a report and recommendation. Fed. R. Civ. P. 72(b)(3). The Court must review *de novo* the portions of the report to which objections are made. The Court has discretion to conduct a new hearing and may consider the record before the magistrate judge anew or receive any further evidence deemed necessary. *Id.* “If no objection or only partial objection is made, the district court judge reviews those unobjected portions for clear error.” *Johnson v. Zema Sys. Corp.*, 170 F.3d 734, 739 (7th Cir. 1999).

The Court has received no objection to the R & R. The Court has reviewed the entire file and finds that the R & R is not clearly erroneous. Accordingly, the Court **ADOPTS** the R & R (Doc. 35) and **DENIES** Plaintiffs’ motions for a preliminary injunction (Doc. 32).

**IT IS SO ORDERED.**

**DATED:** December 2, 2014

s/ Staci M. Yandle  
**STACI M. YANDLE**  
**DISTRICT JUDGE**